

USSN 09/745,585

Page - 3

REMARKS

Applicants thank Examiner for the Office Action.

In the Action, claims 1-13 were pending of which claims 1-4, 6-10, 12 and 13 were rejected as anticipated by Russo and claims 5 and 11 were rejected as obvious in view of Russo and Blackletter. Additionally claims 1 and 4 were objected to and claims 8, 9 and 10 were rejected under 35 U.S.C. 112. In this document, Applicants amend the claims, canceling claims 1, 2 and 4-13, and rewriting claim 3. Applicants respectfully request reconsideration of claim 3 in view of the amendment and following discussion.

Discussion

Russo discloses a system for stored program pay-per-play. The system has "automatic recording of one or more selections based ... upon viewer preferences ... for subsequent replay"¹ which can be pay per view.² Russo does not disclose a system that can monitor the channels as a background function not apparent to the user. Blackletter discloses a method "for enhancing an information resource, such as a Web page, simultaneously residing in memory on a number of remote receivers"³ Blackletter similarly does not disclose a system that can monitor a remote broadcast of movie data as a background function not apparent to the user. Thus Russo and Linden, even when combined, do not disclose Applicants' claim 3.

More particularly, Blackletter discloses a system that can "monitor the data service channel of the signal for triggers that are directed to the information resources resident on the receiver. Upon receipt of such a script trigger, the receiver executes the script contained within the trigger to alter the information resource and/or displayed video defined by the resource."⁴ Information resources are typically "web pages".⁵

¹ Col. 9, line 66 – col. 10, line 3.

² Abstract.

³ Blackletter, p. 2, par. 0017.

⁴ Id., p. 2, par. [0021].

USSN 09/745,585

Page -- 4

Blackletter does not disclose an example where the information resource is replaced by for-demand movie data. Thus even if it were obvious to combine Blackletter with Russo, the combination provides something different from the claimed invention and does not provide the missing claim elements. Applicants therefore respectfully request allowance of claim 3.

Respectfully submitted,


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⁵ *Id.*, p. 2, pars [0020] and [0021], p. 4, par. [0056], and p. 5, par [0062].